

U.S. House of Representatives  
Committee on Appropriations  
Subcommittee on Interior, Environment, and Related Agencies  
U.S. Environmental Protection Agency FY 2021 Budget Hearing  
March 4, 2020

Questions for the Record – Environmental Protection Agency

Questions from Chair McCollum

**Staffing Target for FY 2020**

EPA's submitted staffing targets for FY 2020 did not increase its staff target levels for the Office of Enforcement and Compliance Assurance or for the Office of Research and Development, despite significant funding increases for those offices.

In fact, the staffing targets for each National Program Office across the agency are the same as last year. This creates the impression that EPA has chosen to ignore the direction the Congress gave the Agency to submit FTE targets "in line with the Agency's enacted fiscal year 2020 appropriation."

Additionally, it should be noted that reprogramming requirements within the bill are an accommodation to the Executive Branch. They allow the Agency the flexibility to respond to needs that arise during a fiscal year while protecting Congressional prerogatives over spending.

The changes in reprogramming procedures in FY 2020 that the Administrator referenced during the hearing were adopted by the Congress as a direct result of EPA's failure to strictly adhere to the Committee's reprogramming requirements in FY 2019. However, under the new reprogramming procedures, the Agency may still request permission from the Committee to reprogram funds between program areas, if needed.

**McCollum Q1:** With this context, will the Agency be submitting revised staffing targets for all program offices to reflect the changes in resource levels that Congress provided in FY 2020? If not, why not?

**McCollum Q2:** If EPA does not plan to submit revised staffing targets, should Congress prescribe the FTE levels for the Agency in FY2021?

**McCollum Q3:** Will EPA leadership affirm their commitment to follow the Committee's reprogramming procedures in all instances in FY 2020?

## **Region 6 Lab Relocation**

Last June, the Agency wrote to the Committee that it intended to relocate its Region 6 lab from Houston, Texas to Ada, Oklahoma.

The Committee has had long-standing requirements governing reprogrammings. These requirements “apply to proposed reorganizations, workforce restructure, reshaping, transfer of functions, or downsizing... and include closures, consolidations, and relocations of offices, facilities, and laboratories.”

However, EPA has maintained that this relocation is somehow not subject to the Committee’s reprogramming requirements. This is despite the fact that the letter sent last June refers to the move as a ‘consolidation’ and that it would have to ‘relocate’ employees.

**McCollum Q4:** Please provide an explanation as to why the Agency has refused to submit a reprogramming request for this lab move?

## **TCE Risk Assessment**

TCE contamination is an ongoing concern in the St. Paul area. Last year, it was discovered that a local manufacturing facility had been releasing unsafe levels of this chemical for more than 15 years. In response, several Minnesota legislators are now working on a complete ban of this carcinogen because the available toxicological data suggests that shows even the levels in current regulations may be unsafe.

**McCollum Q5:** Why did the EPA use immunosuppression and autoimmunity as the health end points in its draft assessment, instead of in utero cardiac malformations?

**McCollum Q6:** Is it true that the exposure levels found to trigger immunosuppression are roughly 500 times higher than the levels found to trigger heart defects?

**McCollum Q7:** If EPA were to use fetal cardiac malformations and toxicity as the health end point, would EPA be forced to ban TCE?

## **Undermining EPA’s Scientific Work**

On February 25, 2020, the Administrator's Office put a new process in place for deciding the Science Advisory Board's scope of work. Instead of the Board being able to decide the scope of its work, this decision-making function was put in the hands solely of the Board Chair. This change appears to be in contravention of the statutory language establishing the Board.

**McCollum Q8:** What legal advice did the Administrator seek to ensure that the new process put into place complies with all applicable laws, regulations, and policies governing the SAB and federal advisory committees?

### **EPA Workforce**

According to the most recent information shared by agency staff, EPA hired roughly 1,300 new people over the past year, but slightly more than that number left, so that the Agency was down 16 net FTE compared to one year ago.

This turnover rate is roughly double the average rate for the federal government, and about triple EPA's turnover rate from 5 years ago.

**McCollum Q9:** Why do you believe the Agency's turnover rate has increased so dramatically in this short period of time?

**McCollum Q10:** What is being done to improve this situation?

**McCollum Q11:** Should Congress provide additional resources and/or flexibilities to assist EPA in recruiting or retaining staff?

### Questions from Rep. Pingree

**Pingree Q1:** In response to the Administration's 2020 budget, which sought to eliminate funding for popular programs like the Energy Star program, Congress directed the Agency to fund Energy Star at \$38,379,000 for this fiscal year (FY20).

Can you confirm the amount that has been spent on the Energy Star program to date?

Does the Agency consider this an adequate amount of funding for the program to reach its goals of providing consumers with energy efficient products?

**Pingree Q2:** Strong data is the foundation of all smart policy solutions. For too long, the recycling system in the United States has been characterized by its lack of reliable, comprehensive data. There is not good data on how many recycling programs currently operate in the United States, much less the amount of recyclable materials that is collected and processed from residential homes. In the wake of shifting global markets and an ever-increasing attention to circular and sustainable initiatives, countless efforts have emerged to improve and transform the recycling system in the United States.

1. How can EPA encourage the use of recycled materials, which would help development of domestic end-markets?
2. Are there ways EPA can work with agencies such as the DOE or DOT to encourage the

purchase of materials with recycled content, such as speed bumps, caution cones, pallets, or storage bins?

3. How can EPA help restore confidence in the recycling system?

4. Is there additional data that EPA could collect about the recycling system that would help businesses? Specifically, how can EPA help businesses understand where feedstock exists so that they can make informed, targeted investments to support domestic manufacturing?

5. One of the most important aspects of the convening power of EPA is also as a participant in other industry convenings. Can EPA commit to continuing to participate in outside stakeholder industry events?

**Pingree Q3:** Cross state air pollution is a significant problem for my state of Maine. The vast majority of air pollution – in particular ozone - that my constituents are exposed to comes from “up wind sources” along the eastern seaboard. In short, Maine is on the receiving end of everyone else’s air pollution, and as one effect, we have one of the highest rates of asthma in the country. The Cross-State Air Pollution rule was intended to address this. Last year’s court ruling requires EPA to uphold this rule and set a date for when states have to adhere to federal air quality standards. When does the Agency plan to adopt and publish these federal “Good Neighbor” plans?

**Pingree Q4:** For three years in a row, EPA management decisions have drained staff and reallocated resources in a manner that hampers the EPA from fulfilling its obligations to the public.

1. Why did EPA’s HR practices fail to increase the head count over the last 12 months?

2. What is EPA’s numeric hiring target for the next 30 days? How is management determining the list of positions for hiring in the next 30 days?

3. What are the three most successful specific steps Administrator Wheeler has taken to retain EPA employees in each EPA office in the last 6 months?

4. Have staffing plans been created for each Region for this fiscal year? For the coming fiscal year? If so, please provide such plans for each Region.

Questions from Mr. Quigley:

#### ***Data on pending and FTE’s***

Congressman Quigley’s office asked Mr. Wheeler for a breakdown by program office for spending and FTE’s for region 5. In our hearing, you and CFO Bloom said that you would be able to provide that information.

**Quigley Q1:** Please provide the spending break down and FTEs to Congressman Quigley’s office and the Committee. Please provide a similar breakdown for each regional office.

#### ***Scott Pruitt***

The tenure of Scott Pruitt was marred by scandal and inappropriate behavior. Mr. Pruitt flagrantly violated the public trust, abused the power of his office, and used public resources for his own personal benefit. In short, Scott Pruitt was the epitome of the Swamp the President likes so much to deride. An EPA inspector general report issued last May found that Mr. Pruitt spent more \$985 thousand dollars on travel in just a 10-month period between March and December 2017. The IG found that a litany of possible ethical violations by Mr. Pruitt and his round-the-clock security detail and that “actions are needed to strengthen controls over the EPA’s travel

and prevent fraud, waste and abuse.” The IG also identified nearly \$124 thousand dollars of taxpayer money that could be recovered from Mr. Pruitt for his inappropriate first-class travel.

**Quigley Q2:** Has that nearly \$124 thousand dollars been recovered from Mr. Pruitt by EPA and if not, why not?

**Quigley Q3:** Do you think the American taxpayer should give Mr. Pruitt \$124 thousand dollars so he can fly first-class instead of coach, in violation of EPA rules?

**Quigley Q4:** What has Mr. Wheeler done in the last 10 months since the IG report was released to strengthen EPA’s controls against fraud, waste and abuse- particularly as it related to travel and high-level political appointees?

### *Mercury and Clean Air*

Mr. Wheeler’s tenure at Environmental Protection Agency (EPA) seems to be defined by a concerted effort to make America’s air, water, and land dirtier if doing so has any benefit at all to any corporation. Just in the last two weeks, the EPA has announced rollbacks of successful regulations of HFC’s, a so-called climate ‘super-pollutant’, and, unbelievably, mercury pollution. The mercury rule, or MATS rule, which EPA is in the process of finalizing, would prevent EPA from counting collateral benefits when it sets limits on toxic air pollutants. This would undercut the mercury regulation that have been overwhelmingly successful in improving air, water, and even food quality and open the door to further rollbacks of regulations that have unequivocally benefited the American people. Mr. Wheeler’s effort has been universally panned. Exelon, one of the nation’s largest utilities and the chief power supplier for my district, has called this rollback “unnecessary, unreasonable, and universally opposed by the power generation sector.” Yet Mr. Wheeler will move forward because doing so may benefit coal companies.

**Quigley Q5:** How is this rule in the best interest of the American people?

**Quigley Q6:** What should I tell my constituents that accuse of Mr. Wheeler of sacrificing their children’s health for a few corporate profits?

**Quigley Q7:** Why is this not a blatant violation of the public trust and your agency’s mission?

### *Brownfields*

**Quigley Q8:** The Environmental Protection Agency has repeatedly stated that Superfund cleanups are a priority. If so, why does the Administration’s FY21 budget request cut funding for all types of cleanups by a total of \$100 million?

For three years in a row, EPA management decisions have drained staff and reallocated resources in a manner that hampers the EPA from fulfilling its obligations to the public. The drain on EPA capacity is clear in its current staff counts, its enforcement staffing levels (and funding), and reorganization of Regional EPA Laboratories. I want to ask Mr. Wheeler about all

three shrinking components of EPA basic capacity. All EPA Offices have lost engineers and scientists and have not replaced them. For example: Region 5 has lost over 120 engineers and scientists since 2017 to attrition and retirement. As of January 31, 2020, Region 5 is at all-time low of 938 full time employees, and has declined, not improved since the all-time low of 941 was reported at the end of the 2019 Fiscal year five months ago.

**Quigley Q10:** Last year Mr. Wheeler testified that he personally talked with the EPA HR Director about efforts to speed up hiring. Why did the EPA's HR practices fail to increase the head count over the last 12 months? What is your numeric hiring target for the next 30 days? How specifically will you achieve that goal? How is management determining the list of positions for hiring in the next 30 days?

**Quigley Q11:** What are the three most successful specific steps Administrator Wheeler has taken to retain EPA employees in each EPA office in the last 6 months? Have staffing plans been created for each Region for this fiscal year? For the coming fiscal year? If so, please provide such plans for each Region. If not, why not?

### ***Relocation & Closure of EPA Laboratories***

In addition to historically low staff counts, and persistent budget cuts to EPA enforcement staff positions, EPA has proposed the relocation and closure of EPA laboratories across the country including in: Grosse Ile, Michigan; Chelmsford, Massachusetts; Athens, Georgia; Wheeling, West Virginia and Houston, Texas. In fact, the Houston, Texas EPA Laboratory is a hub of soil and water testing for all of Region 6, is slated to close in 2020. The Administration has proposed relocating all EPA members at the laboratory to Ada, Oklahoma without preserving the regional hub. EPA's Office of Inspector General notified the Agency on October 16, 2019, of an audit for the laboratory closures in Athens, Georgia; Corvallis, Oregon; and Grosse Ile, Michigan.

**Quigley Q12:** Rep. Dingell and Rep. Talib sent a letter to the EPA on December 11, 2019 regarding the EPA's proposed move of the Grosse Ile Laboratory to a facility in Ann Arbor with inadequate infrastructure for the research functions. When will the EPA respond to the Dec 11 letter?

### ***Funding and Water Quality***

The Great Lakes Restoration Initiative (GLRI) accelerates efforts to protect and restore the largest system of fresh surface water in the world – the Great Lakes. In a bipartisan effort, the House voted to continue the GLRI funding through 2026. However, the Great Lakes National Program Office is not fully staffed at 70+ employees and is hovering at approximately 50+ employees.

**Quigley Q13:** What is the rationale for increasing the GLRI funding, without a commensurate increase in the staffing level? How will an expanded GLRI program be implemented if staffing does not keep pace with program funding levels?

### ***State Water Infrastructure Funding***

The Environmental Protection Agency is proposing cuts of \$1.39 billion (31%) to support clean and safe water. The cuts include \$782 million (28%) from support for revolving loan funds to support infrastructure for water treatment.

**Quigley Q14:** Why is the Environmental Protection Agency making it more expensive for municipalities to afford infrastructure at a time when they have so many pressing infrastructure needs on their plate?

### ***State Program Funding and Air Quality***

Part of the Environmental Protection Agency's mission is "to protect air quality," yet the FY21 budget request proposes 46% drop in support for funding programs that protect that purpose, and notably a 44% cut in state, local, and tribal air quality management programs.

**Quigley Q15:** How can the EPA tout principles of cooperative federalism and simultaneously undermine them by not providing nearly enough resources for states to conduct their own air quality programs?

### ***Superfund Budget***

The EPA has repeatedly stated that cleanup of Superfund sites is a major priority. The Trump administration has built up the biggest backlog of unfunded toxic Superfund clean-up projects in at least 15 years, nearly triple the number that were stalled for lack of money in the Obama era, according to 2019 EPA figures. The accumulation of Superfund projects that are ready to go except for money comes as the Trump administration routinely proposes funding cuts for Superfund and for the EPA in general. The Superfund program is meant to tackle some of the most heavily contaminated sites in the U.S. and Trump has declared it a priority even while seeking to shrink its budget

**Quigley Q16:** If cleanup of Superfund sites is a true priority of the EPA, why has the Administration proposed cuts to the program budget two years in a row?

**Quigley Q17:** Given the prevalence of "pending federal funding" messages delivered to communities with Superfund sites across the country, what is the total acreage of Superfund sites with cleanup delays? What percentage of total Superfund sites are experiencing cleanup delays? What is the basis for requesting an additional 9% decrease in funding from the prior year's FY 2020 budget in light of this widespread clean up delay?

### ***Michigan Superfund Sites***

On March 24, 2015, the EPA made note of the 35th anniversary of Superfund in announcing the DSC McLouth Steel Gibraltar Plant to the Superfund List. The announcement reads, "Today, the U.S. Environmental Protection Agency (EPA) is adding two hazardous waste sites that pose risks to human health and the environment to the National Priorities List (NPL) of Superfund sites, reducing health impacts, including protecting infant health, and encouraging economic

revitalization of a formerly toxic site. The DSC McLouth Steel Gibraltar Plant Area site is a former steel processing facility which ceased operations in the mid- 1990's where mismanaged leachate control systems have resulted in contamination to adjacent creeks and drains leading to the Detroit River.” The current status of the site is that five years later, the leachate has not been investigated, there is no cleanup plan, and the leachate containing PFAS, ammonia, and other hazardous substances is breaking out of the sides of the landfill and contaminating the adjacent creeks.

**Quigley Q18:** Why has EPA neglected this site? What is EPA’s comprehensive solution to protect the public and Detroit River?

The 10 Mile Drain, St. Clair Michigan site was placed on the Superfund list 10 years ago. There are known hazardous levels of PCBs in residential yards. The remedial design has not been completed. EPA’s website says, “EPA plans to complete remedial design sampling in Spring 2020 with remedial action anticipated to commence pending availability of federal funding.”

**Quigley Q19:** When will there be available funding to address the comprehensive issues at 10 Mile Drain, St. Clair Michigan site? Will this site’s funding receive part of the Administration's proposed 9% cut to Superfund?

McLouth Trenton Site is a pressing Superfund Site in Southeast Michigan with hazardous waste entering into the environment.

**Quigley Q20:** With the two previous five and ten year-old contaminated Superfund sites backlogged (see Quigley Q19 & Q20), what is the likelihood of a new Superfund Site like McLouth in Trenton, Michigan being adequately funded? Can the Agency commit to starting the Remedial Investigation for the McLouth Trenton Site next year?

### ***Budget and Enforcement***

Inspections by EPA staff are a critical tool and the place where a strong enforcement program begins. However, the EPA conducted only 8911 inspections in FY 2019, the lowest in 27 years (since 1994). EPA did not record inspection numbers before 1994, so FY 2019 inspections were the lowest inspection counts on record. The number of inspections in FY 2019 fell 17 percent from FY 2018 and 58 percent from its highest recorded in 2010.

**Quigley Q21:** Given that there is a link between a reduction to the enforcement budget and a reduction in enforcement, how can the Administration’s 7% cut to the enforcement budget be justified?

**Quigley Q22:** Administrator Wheeler has argued that measures other than those tracked by the EPA Enforcement and Compliance History Online website (ECHO) are relevant to measuring enforcement. Are any other measures being tracked by this Administration in assessing regional enforcement and compliance assurance performance other than those included in ECHO? When will the Administration be releasing the results of the collection of that data?



**Quigley Q23:** Explain how the Administration's cuts to the enforcement budget will help EPA increase inspections and reduce the threat to public health and the environment.

### ***Regional Office Enforcement Budgets***

Each EPA Regional Office is primarily responsible for enforcement of federal environmental law in the states covered by it. Enforcement is down to historic low numbers, and the budget cut to enforcement programs will only serve to further exacerbate the situation. There has been a significant decline in environmental enforcement over the past 3 years.

**Quigley Q24:** The Administration has said that enforcement has been deferred to the states as a result of cooperative federalism- How does the Administration track this?

**Quigley Q25:** How does the Administration determine if an enforcement action it has deferred to the state has been adequately enforced?

**Quigley Q26:** In light of the historic low staff count, and a track record of failure to fill staff positions, why did the Trump Administration propose to reduce each Region's enforcement budget by 7% and staff nationwide by over 2000 full time employees?

**Quigley Q27:** What is the EPA strategy to assure that EPA keeps its oversight and enforcement functions from slipping further past already the lowest rate in the previous 5 administrations?

### ***2019 AFGE Unilateral 'Contract'***

In addition to the sub-optimal staff count, the mass relocation of EPA laboratories, in some cases to less appropriate facilities, the Administration's 2019 unilateral contract has eliminated flexible place and schedule options for EPA AFGE staff. It is impeding the union's ability to discharge their representational duties on behalf of fellow employees as authorized by 5 U.S.C. § 7131. The limitations have also deprived employees of union grievance and arbitration processes for numerous adverse actions and deprived AFGE of access to means of communicating with its members, including via websites, agency intranet, and even cork bulletin boards.

**Quigley Q28:** These restrictions have no doubt affected agency efficiency by adding to the staff workload while constraining and limiting work-life balance and morale. In light of the deep cuts to staff count as of July 8th, the budget allocation for enforcement staff and EPA laboratories, what rationale did the Administration use, and what data was used to make the decision, to eliminate the AFGE existing contract and impose the Agency's unilateral contract on July 8th?

### ***Scientific Integrity***

Over the last few years, inquiries at EPA's scientific integrity office have increased, and EPA's former career employees and administrators have spoken out about their concerns about interference or dismissal of their work and that of their colleagues. Some of these career employees spoke about being marginalized or encouraged to leave their positions. A January 18,

2020, complaint to the Office of the Inspector General from Public Employees for Environmental Responsibility (PEER) alleged that Agency leadership excluded career scientists from involvement in a major deregulatory action on a surface water protection rule, resulting in their comments “being withheld from the public” and violating the Agency’s scientific integrity policy that prohibits leadership from “intimidating or coercing scientists to alter scientific data, findings or professional opinions.” Recently, a panel of 41 experts, including many Administration appointees, on the EPA’s Science Advisory Board even determined that three major deregulatory actions at EPA run counter to science.

**Quigley Q28:** How does downgrading the views of career scientists and giving greater leeway to influence from views of industry maintain the nation's competitiveness in Technology, Education, and Science?

**Quigley Q28:** Considering that there are current allegations or examples of political appointees overruling career scientists in their decisions and recommendations to protect public health, whether it be in inspections relating to ethylene oxide, permit conditions at hazardous waste incinerators, or weakening of regulations, would you consider this budget reduction to be just another way to help keep the agency from fulfilling its mission when it conflicts with political aims?

### *Climate Change*

The FY21 budget request provides virtually no funding for EPA climate change programs and research and proposes to eliminate most voluntary climate programs. This continues a pattern of attacks on EPA climate work, virtually identical to last year’s, and starkly demonstrates the administration’s willful denial of the overwhelming scientific consensus that human activities are causing dangerous changes to the earth’s climate and that those changes must be addressed of the most significant reductions in Green House Gases (GHG) pollution achieved by the federal government are the result of the work carried out by EPA climate change programs. Notwithstanding that achievement and the devastating impacts already occurring from a warming climate, the 2021 budget eliminates important climate programs and cuts \$66 million to support them. These “savings” will actually cost Americans tens of billions of dollars from increased risks to their lives, health and property and the loss of ecosystems that protect communities from flooding and provide recreational benefits on which many community economies are based. As the impacts of climate change continue to grow, it will be critical to build our understanding of the magnitude and severity of those impacts, where they are most likely to occur, what they mean for communities and regions, and how best to adapt to them.

**Quigley Q29:** How can EPA say it is working on reducing GHG pollution when the Administration is advocating cutting all funding support for all EPA programs that cut GHGs?

Questions from Mr. Joyce

### **Great Lakes Restoration Initiative (GLRI): FY 2021 Request**

I was thrilled to see that the fiscal year 2021 request includes \$320 million – equal to the fiscal year 2020 enacted level – for the Great Lakes Restoration Initiative. Sustained, robust GLRI funding is crucial to protecting and preserving the Great Lakes given they provide more than 1.5 million jobs, supply 90% of our nation’s fresh surface water, support over 3,500 species of plants and animals, and generate \$62 billion in wages every year.

**Joyce Q1:** If GLRI is funded at \$320 million again in fiscal year 2021, what improvements can EPA and its partners make to the quality of the Great Lakes ecosystem and the health of the citizens who live in the region? What economic benefits are we likely to see?

In fiscal year 2019, EPA worked hard to leverage GLRI dollars to work with partners to delist Areas of Concern, restore coastal wetlands across the region, reduce phosphorus runoff and the threat of harmful algal blooms, and control invasive species. EPA also created new restoration programs – like the Trash-Free Waters program – to clean and protect beaches and waterways from plastics and other waste.

**Joyce Q2:** Is EPA using the \$20 million increase in fiscal year 2020 to expand new programs like the Trash-Free Waters grant program and carry out more market-based nutrient reduction projects?

### **Coastal Erosion – Lake Erie**

I consistently hear from my constituents in Ohio about concerns related to coastal erosion. As communities along Lake Erie continue to lose more acres and coastal infrastructure to erosion, they are looking to us to help them find creative ways to mitigate the damage, prevent further loss of land, and restore ecosystems.

**Joyce Q3:** How is EPA working with other federal agencies, like the U.S. Army Corps of Engineers, to help communities, states, and tribes address coastal erosion and protect ecosystems?

**Joyce Q4:** Are there instances in the past where Great Lakes Restoration Initiative funding has been used for coastal erosion projects and to restore ecosystems damaged by erosion?

### **New Harmful Algal Blooms Grant Program**

Harmful algal blooms – or “HABs” – have been of great concern to my district in Ohio. Lake Erie is especially susceptible to HABs given it is the shallowest and warmest of the Lakes. In 2014 alone, harmful algal blooms in Lake Erie left 500,000 people without safe drinking water and cost roughly \$65 million in diminished property values, lost tourism revenue and recreational opportunities, and increased water treatment costs.

That’s why I was more than pleased to see that the request includes \$15 million for a new categorical grant program to fund prevention and response efforts for HABs that pose significant health or economic risks.

**Joyce Q5:** How would this new grant program help us prevent and respond to HABs in a way that we cannot currently do through other EPA grant programs? How are other grant programs inadequate in addressing these problems?

**Joyce Q6:** How would these new grant dollars supplement the HABs work EPA and its partners carry out through the Great Lakes Restoration Initiative?

**Joyce Q7:** If Congress were to provide \$320 million for GLRI and \$15 million for this new HABs grant program, how much would the Agency project to spend – in total – on HABs work in fiscal year 2021?

### **Great Lakes Shipyard Tug Replacement Program**

It is my understanding that the Great Lakes Shipyard has been working with the Agency to secure clarification that it is authorized to install Tier 3 engines into tugboats being constructed with keels laid in August 2016. This tug replacement program will achieve significant economic and environmental benefits to the Great Lakes region by putting into service cleaner, more efficient tugs and retiring World War II era Tier 0 “black stack” engines.

**Joyce Q8:** Please provide an update on EPA’s efforts to work with the Great Lakes Shipyard. How is the Agency evaluating their request based on the U.S. Coast Guard’s guidance on new ship construction?

### **Great Lakes Restoration Initiative (GLRI): 10% Cost-share Proposal**

For fiscal year 2021, the request proposes a 10 percent cost-share for Great Lakes Restoration Initiative funding. While I am very supportive of efforts to leverage federal resources to further our restoration work in the Great Lakes, I want to ensure that even though the cost-share requirement can be waived in certain situations, this change does not unnecessarily burden our partners.

**Joyce Q9:** Did the Agency consult with relevant stakeholders about this proposed change?

**Joyce Q10:** Across GLRI, roughly how much money is the Agency and its partners currently leveraging without a cost-share? How much more does the Agency expect to leverage with the required cost-share?

**Joyce Q11:** Is the Agency considering cost-shares for other Geographic Programs?

The request notes that in-kind work will be included in the cost-share.

**Joyce Q12:** Please describe some examples of in-kind work Agency GLRI partners are currently providing?

### **Harmful Algal Blooms (HABs) Research**

Over fiscal year 2019 and fiscal year 2020, Congress has provided the Agency with a total of \$11 million to investigate health effects from exposure to HABs and cyanobacteria toxins, and to develop methods to monitor, characterize, and predict blooms for early action.

**Joyce Q13:** How have these funds helped EPA further its understanding of HABs and better predict blooms to reduce health effects and negative economic impacts? Are we seeing returns on these research investments?

**Joyce Q14:** How will the requested \$2.9 million for HABs research supplement this work?

**Joyce Q15:** Is \$2.9 million in fiscal year 2021 enough to develop HABs pilot projects with predictive modeling and monitoring that reduce exposure and toxic events? Please describe one of these pilot projects.

### **Great Lakes and Lake Champlain Invasive Species Program**

The Vessel Incidental Discharge Act of 2018 tasked EPA with implementing the Great Lakes and Lake Champlain Invasive Species Program to develop ballast water management systems and prevent the spread of aquatic invasive species.

**Joyce Q16:** Please provide us with a status update on EPA's implementation of this program.

**Joyce Q17:** How is EPA using fiscal year 2020 GLRI funds to work with federal and non-federal partners to launch the Great Lakes portion of this program and prevent introductions of new invasive species like Asian carp? How are Lake Champlain geographic program funds being used to carry out these activities in Lake Champlain?

**Joyce Q18:** While still early in the implementation process, how much is EPA planning to spend on these efforts in fiscal year 2020 and how much funding is needed in fiscal year 2021?

### **"PFAS Action Plan" – Ongoing Work and Resources**

Over the last year, EPA has taken great strides to implement its PFAS Action Plan to reduce health risks to the public. Notably, on February 20th, EPA announced plans to regulate two types of PFAS under the Safe Drinking Water Act.

**Joyce Q19:** Please provide the Committee with an update on the work EPA has done over the last year to address PFAS chemicals and how funding provided in fiscal year 2020 is supporting these efforts.

**Joyce Q20:** Does the fiscal year 2021 budget request include the necessary funding for EPA to sustain and potentially increase its PFAS-related research and regulatory work? Does the fiscal year 2021 budget request include the necessary funding for EPA to work with states and communities to develop treatment and remediation options to address PFAS exposures?

**Joyce Q21:** Even with additional funding in fiscal year 2021, could EPA speed up the process for regulating chemicals under the Safe Drinking Water Act?

### **Integrated Planning**

In January 2019, the bipartisan Water Infrastructure Improvement Act was signed into law. This bill codified EPA's Integrated Planning Framework to provide local communities with critical flexibilities to prioritize how they meet their specific Clean Water Act obligations and better manage costs over time.

The bill also included a provision establishing a Municipal Ombudsman's office within EPA to provide municipalities with a dedicated point of contact to ensure EPA policies are being implemented appropriately and consistently at the local level.

**Joyce Q22:** Please describe where in the process the Agency is for helping communities implement and utilize integrated planning –especially in terms of bringing the states along. Where do things stand on getting the Municipal Ombudsman office up and running?

### **U.S. Recycling Education**

Recycling provides significant contributions to American prosperity and the protection of our environment. In fact, according to EPA, recycling activities in the United States account for 757,000 jobs and \$36.6 billion in wages. However, reports indicate that one-third of materials put into household recycling bins ultimately end up in landfills, either because the material is not recyclable, or it is not accepted by a community's recycling program. I was proud to introduce legislation to better educate and inform consumers and households about their residential and community recycling programs to address this issue.

**Joyce Q23:** How is EPA working with for-profit, non-profit, state and local governments, and other stakeholders on recycling education?

**Joyce Q24:** How much is EPA planning to spend on these efforts in fiscal year 2020 and how much funding is needed in fiscal year 2021?

### Questions from Mr. Simpson

### **Caribou County Reclamation**

I wanted to ensure you are aware of an important project in my Congressional District. Specifically, P4, a subsidiary of Bayer, is working with the Environmental Protection Agency, Bureau of Land Management, and Department of Justice to finalize a consent decree that would allow for the remediation of Ballard Mine pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act. Ballard Mine, which is located north of Soda Springs in Caribou County, was operated from 1951 to 1969. P4 would like to reclaim the affected area in accordance with modern best practices. In conjunction with this work, it would

like to remove approximately 4 million tons of phosphate ore that remains on site and is within the footprint of the reclamation project.

**Simpson Q1:** I am interested in seeing this project move forward, can you provide me with an anticipated timeline?